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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**  
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10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 ALBERTO MAGALLON-GUIZAR,

14 Defendant.  
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Case No. 2:01-cr-00206-LDG (PAL)  
Case No. 2:10-cv-02113-LDG

**ORDER**

16 Defendant Alberto Magallon-Guizar has filed a second or successive motion to  
17 vacate, set aside, or correct sentence pursuant to 28 U.S.C. §2255. Prior to filing a second  
18 or successive §2255 motion, the defendant was required to first obtain the certification of  
19 the Ninth Circuit Court of Appeals that his motion rests upon newly discovered evidence or  
20 a new rule of constitutional law. He did not do so. Accordingly, for good cause shown,

21 THE COURT **ORDERS** that Defendant Alberto-Magallon-Guizar's Petition for  
22 Habeas Relief under 28 U.S.C. §2255 (#189) is DISMISSED.

23 DATED this 19 day of May, 2011.  
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Lloyd D. George  
United States District Judge